

F B I

Date: APR 14 1975

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (98-46611)
 FROM: SAC, PHILADELPHIA (91-7264) (P)
 SUBJECT: GIROB
 OO: BOSTON

SUSAN EDITH SAXE arraigned 4/7/75 before United States Magistrate TULLIO GENE LEOMPORRA of the Eastern District of Pennsylvania. SAXE entered a plea of not guilty to violation of Title 18, United States Code, Section 2113 (a), (b), and (d), as set forth in indictment number 71-178 for her participation in the robbery of the Bell Savings and Loan Association, 7578 Haverford Avenue, Philadelphia, Pa., on 9/1/70. U

Assistant United States Attorney (AUSA) JEFFREY M. MILLER of the Eastern District of Pennsylvania (EDPA.), advised that a trial date of 5/14/75 has been tentatively set by the Honorable ALFRED L. LUONGO, United States District Judge, EDPA. AUSA MILLER stated that he feels that Judge LUONGO will be ready to proceed with this trial on that date. U

2-Bureau (98-46611)
 3-Boston (91-4219)
 1-Charlotte (91-387) (Info)
 1-Cincinnati (91-6609) (Info)
 1-Newark (91-6856) (Info)
 2-New Haven (91-3934) (Info)
 2-New York (91-9195)
 2-Portland (91-3111)
 2-Philadelphia (91-7264)
 DRE/mtj
 (16)

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REC-38

22 APR 14 1975

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 4-16-79 BY 2333 GAY

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51 APR 24 1975

Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

(Mount Clipping in Space Below)

Liberties Union Says FBI Abused Powers

By SUE NAPIER
Leader Staff Writer

A delegation of the Louisville Civil Liberties Union is expected to call on Thomas W. Kitchens Jr., special agent in charge of the Louisville office of the FBI, Wednesday afternoon to protest the actions of the FBI in the recent grand jury investigation in Lexington.

In a statement which the organization plans to present to Kitchens, it states: "We believe that the FBI behavior in Lexington is a gross abuse of power and a use of police state tactics that cannot be tolerated in a free society."

Six witnesses were subpoenaed to testify before a federal grand jury here after they refused to answer questions from FBI agents concerning two women who lived in Lexington last summer and who are believed by the FBI to be Susan Saxe and Katherine Power, wanted for a 1970 Boston bank robbery in which a policeman was killed.

All six were found guilty of contempt of court and jailed for refusing to testify before the grand jury after they had been granted use immunity. One witness later agreed to testify in exchange for her freedom. The other five remain in jail.

In its statement the Civil Liberties Union said there are a number of other instances elsewhere in the country, including one involving the search for Patty Hearst, in which people with no information to provide "are being harassed by grand juries at the behest of the FBI."

The Civil Liberties Union called on the FBI to reconsider its course on this question.

"It may be harder for you to catch perpetrators of crimes without resort to old-fashioned inquisitions, forced

testimony and other police state tactics," the statement noted. "Maybe you will have to work a little harder. But better that than the safeguards of individual liberty people have fought for through the centuries be destroyed."

The Civil Liberties Union further stated:

"We understand the FBI's concern with finding people it believes have committed actual crimes. But our country's legal system is based on the proposition that in the end we destroy our-

selves as a democracy if we allow agencies of law enforcement to violate constitutional rights in an effort to solve a crime.

"Congress has repeatedly refused to grant the FBI subpoena powers. This is because there is a strong feeling in this country that a national police force could become an instrument of a police state. The FBI's long record of delving into the personal lives and associations of private citizens by the most questionable means (as have recently been

revealed) confirms the wisdom of building legal restrictions around FBI activities.

"For the FBI now to try to circumvent those restrictions by using the grand jury to do what it can't do itself is a threat to the freedom of all of us."

In addition to the formal statement there will be other oral statements made by Kitchens by members of the organization. The Civil Liberties Union also will seek to get answers to the questions it has raised.

(Indicate page, name of newspaper, city and state.)

Lexington Leader

Lexington, Ky.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-16-79 BY 2333 GAW/AL

Date: 3-25-75

Edition:

Author: Henry Hornsby,

Editor: Editor

Title:

Character: BU# 98-46611

or LS# 91-5755

Classification:

Submitting Office LS

☐ Being Investigated

ENCLOSURE

APR 18 1975

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Jenkins

DATE: 3/28/75

FROM : D. W. Moore, Jr.

SUBJECT: SUSAN EDITH SAXE, AKA
UNLAWFUL FLIGHT - MURDER; TGP; BANK ROBBERY
TEN MOST WANTED FUGITIVE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

In connection with the apprehension of captioned subject last evening, my office issued the attached news release.

This release was coordinated with the Philadelphia and Boston Offices and approved by [] in the office of Public Information in the Department. The release was furnished to local newspapers, the wire services and network radio stations in the Washington area. The release was also furnished to the Philadelphia, Boston, New Haven and Louisville divisions.

RECOMMENDATION

For information.

Enclosure

- 1 - Mr. Moore
- 1 - Mr. Cleveland
- 1 - []
- 1 - []

TBC:asg
(5)

REC-35

7 APR 11 1975

FUG. SUP.

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DATE 4-16-79 BY 2333 G-AS/ed

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DATE 4-16-79 BY 2333 GAY

FOR IMMEDIATE RELEASE

MARCH 27, 1975

Susan Edith Saxe, aged 26, one of the FBI's "Ten Most Wanted Fugitives," was arrested this evening, according to an announcement by FBI Director Clarence M. Kelley.

Mr. Kelley stated that Saxe and Katherine Ann Power, who is still being sought by the FBI, were charged with Unlawful Flight to Avoid Prosecution for the murder of a Boston police officer who was shot to death following the robbery of the Main Street Bank and Trust Company, Boston, on September 23, 1970. Saxe, Power and three men, who were subsequently apprehended, allegedly participated in this holdup.

According to Mr. Kelley, Saxe and Power were additionally charged with Theft of Government Property from a National Guard Armory at Newburyport, Massachusetts, on September 20, 1970, and with Bank Robbery for their alleged participation in the armed robbery of the Bell Federal Savings and Loan Association, Philadelphia, Pennsylvania, on September 1, 1970.

Mr. Kelley stated that Saxe was arrested by a Philadelphia, Pennsylvania, police officer in the vicinity of 12th and Chestnut Streets, Philadelphia. According to the police officer, Saxe was recognized on

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Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

98-46611-2

APPROVED FOR RELEASE
FOR PUBLIC INFORMATION, DEPT. JUSTICE

the basis of photographs and descriptive material which had been reissued today by the FBI. Saxe, who was in the possession of material identifying her as Ailene A. Hellman, was positively identified by FBI Agents through her fingerprints. U

Federal warrants for her arrest were issued at Boston on September 24 and 25, 1970, and at Philadelphia on October 1, 1970. Saxe, who is a white American, was born at Hartford, Connecticut on January 18, 1949, and will be brought before a committing magistrate as soon as possible. U

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-21-2008 BY 60322 uc/lp/stp/fls

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U.S. Attorney Challenges Editorial's Conclusions

I am a firm believer in freedom of the press and your right to write editorials on everything you desire. However in reading your editorial of March 19, 1975, I believe that you base your conclusions on erroneous facts. If after re-considering the facts as they came out in the hearing, you still have the same conclusions, you are entitled to your own opinion, but after all, what makes a case is the admissible evidence, not what some potential witness says to a reporter or someone in the hall outside of the court.

First, although alleged by counsel, there was no evidence of threatening calls to relatives by FBI agents. This allegation was smiliar to the one about electronic surveillance — it could not be proven.

Second, although the FBI agent in charge of the Patricia Hearst case said if the witnesses refused to talk to them, they would say, "Thank you very much," and walk away, the grand jury might still want to subpoena these witnesses for testimony. As reported in the papers, a grand jury in Pennsylvania is apparently considering indictments against persons accused of harboring Miss Hearst and others.

With regard to your criticism of "use immunity," although I applied to the court for it, it was specifically approved by John Keeney, Acting Assistant Attorney General. In addition, although you claim "it is a legacy of the Nixon law-and-order years, and a piece of law we could be well without," you are reminded that it had to be passed by a Democratic Congress.

Moreover, it is the same immunity granted John Dean and others in the Watergate case and certain persons in the Spiro Agnew, Senator Gurney, and Governor Hall cases. I do not recall your criticism of it in any of these instances, or even when we have previously used it in our district to convict persons in cases involving prostitution in Northern Kentucky or the receipt of stolen property.

It is a valuable tool used to convict racketeers since being passed as part of the Organized Crime Control Act in 1970. Furthermore, although you attribute it to the Nixon administration, we have had immunity laws for years beginning in 1868 and for all practical purposes, there is no other type of immunity left since "transactional immunity" has now been repealed. The law is the result of careful study and consideration by the National Commission on Reform of Federal Criminal laws, as well as by Congress.

The present "use immunity" law was held constitutional by the Supreme Court in 1972 in Kastigar v. United States. In my way of thinking, our members of Congress would think I was derelict in my duty not to make use of this statute in finding out law violations in our district with regard to harboring two girls who are on the FBI's Ten Most Wanted List.

In full defense of our grand jury, which is composed of hard-working citizens chosen at random from Central Kentucky, they did not accept the statements of the FBI and the prosecutor "without question." The court asked

them if they still wanted to hear from the witnesses even after their lawyer said they knew nothing about the case, and they deliberated before telling the court they did. They were put upon and trifled with by these witnesses, who had to confer with their attorneys for five minutes at a time when asked the name of their attorney. The reply of many then was, "She said she'd tell you," or words to that effect.

When you suggest I can begin by asking the court to release the witnesses and withdraw immunity so that the witnesses would agree to testify on matters germane to the inquiry, you must have missed February 3, 1975, when there was no immunity and the witnesses were free to move about. On that date, all but Linda Link refused to answer any questions put to them except for their names. They had this opportunity and we would give it to them again with pleasure, but they won't answer any questions. If you disbelieve this, read a transcript of our hearing on it.

If it is not the FBI's business to search for two women on their "most wanted" list, then what are they supposed to do? The Second Circuit Court of Appeals in New York in United States v. Gruse recently upheld similar grants of immunity and a similar procedure with grand jury witnesses involving these same fugitives in Connecticut.

EUGENE E. SILER, JR.
United States Attorney

Lexington

(Indicate page, name of newspaper, city and state.)

—Opinion Page

—Lexington Herald

—Lexington, Ky.

Date: 3-27-75
Edition: Morning
Author:
Editor: Don Mills
Title:

Character: BU# 98-46611
or LS# 91-5755
Classification:
Submitting Office: LS
☐ Being Investigated

21

(Mount Clipping in Space Below)

ALL INFORMATION CONTAINED
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DATE 4/16/79 BY 23386AYL

GUNS BOUGHT HERE**Police Catch
Woman FBI
Fugitive**By ROLLA J. CRICK
Journal Staff Writer
andELIZABETH DUFF
Philadelphia Inquirer

A one-time Portland resident who spent five years on the FBI's list of 10 most wanted persons is in custody in Philadelphia.

Susan Edith Saxe, 26, was ordered held Friday on \$350,000 bail by a federal magistrate in Philadelphia after a 90-minute hearing in which she mouthed "I love you" to women "sisters" in the crowded courtroom. The bail is pending her arraignment on bank robbery charges.

Miss Saxe, a suspect in bank robberies in Philadelphia, Boston, Evanston, Ill., and Beverly Hills, Calif., catapulted to the most wanted list when she was identified as having purchased guns in Portland that were used in a Boston bank robbery shoot-out in which a policeman died.

She was captured Thursday by a policeman with a memory for faces who recognized her from a new FBI photo-

graph and description as she walked along a Philadelphia street.

At her appearance Friday, Assistant U.S. Attorney John Thorn asked for "extremely high bail of at least \$500,000."

FBI Agent Donald Egelston testified that Miss Saxe stood outside a Philadelphia bank Sept. 1, 1970, holding a Molotov cocktail which failed to ignite when it was thrown. As she did this, he said, a male companion robbed the bank and the trio got away in a car driven by Katherine Power, who also is on the top 10 list.

The agent also testified that, according to FBI investigations, Miss Saxe entered the bank in Boston with male companions during that robbery and all fled in a car once again driven by Miss Powers.

News accounts at the time said that a blonde woman flanked by two men burst into the bank just after it opened, stole the money and fled, firing pistols both on their arrival and leaving. The blonde woman allegedly was Miss Saxe.

In court Friday, Miss Saxe had red hair, wore big round

glasses with pink rims, a purple shirt open over a black T-shirt, blue jeans and boots.

When apprehended, she was using the name "Ailene A. Hellman," but police said they identified her from fingerprints as the wanted woman.

After the hearing, Burna Aronson, a woman picked up with Miss Saxe, but later released and not charged with anything, read a statement she said was written by her companion. It said in part:

"First, a greeting to all my sisters. Courage, especially to all of my sisters underground in America. Stay free, stay strong. I intend to fight on in every way as a lesbian, a feminist and an amazon.

"The love I share with my sisters is a far more formidable weapon than the police state can bring against us."

The capture of Miss Saxe ends partially one of the FBI's most frustrating cases and a chase through communes and college campuses across the country.

The case involves a story of a quiet child

(Indicate page, name of newspaper, city and state.)

1 THE OREGON JOURNAL
PORTLAND, OREGON

Date: 3-28-75

Edition:

Author:

Editor: DONALD J. STERLING, JR.

Title:

GILROB

Character:

or

Classification:

Submitting Office: Portland

☐ Being Investigated

2-Portland

(1-91-3111)

(1-80-9 Sub 1)

2-Bureau (AM)(RM)(98-46611)

2-Boston (AM)(RM)(91-4219)

ENCLOSURE

ents who became an honor student, then turned her back on traditional upbringing to become a member of a guerilla band that declared war on the United States.

Her Portland sojourn was brief, but eventful.

She lived in a West Side apartment from Sept. 3 to Sept. 18, 1970, but on Sept. 15, according to identifications of photographs made by store clerks, she bought \$500 worth of guns and ammunition and a copy of "The Shooter's Bible" in two Portland surplus stores.

Some of the weapons were recovered by police in the \$26,000 robbery Sept. 23, 1970, of the Brighton branch of Boston's State Street Bank and Trust Co.

During the shootout at the bank, a much-decorated policeman, father of nine, was shot in the back and later died.

Miss Saxe, Miss Power — who had attended Brandeis University with her — and three men became targets of a police search. The men subsequently were captured and sent to prison for bank robbery

and murder, but the women escaped.

Miss Power also is still at large. She and Miss Saxe have been reported as constant companions since the Boston robbery and also have been reported as living openly as lesbians, avoiding authorities by blending into a counterculture lifestyle.

When Miss Saxe came to Portland, she told her parents, who live in Albany, N. Y., that she planned to enter the University of Oregon. According to the FBI, however, she was between bank robberies.

Official charges against her include unlawful interstate flight to avoid prosecution for murder (in connection with the Boston policeman killing), theft of government property from a National Guard armory at Newburyport, Mass., Sept. 20, 1970, and participation in a bank robbery at Philadelphia Sept. 1, 1970.

In a letter to a friend after the Philadelphia robbery she allegedly wrote of anger because the police—"male chauvinist pigs"—did not notice her.



SUSAN SAXE